

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

KENA HARRIS, as Administrators of)
the Estate of Chaungene L. Ward,)
Deceased, and MONICA NOLAN,)
Plaintiffs,) 8:09CV349
V.)
OLEG VELICHKOV, NERMIN) ORDER
DONESKI, MICKEY'S TRUCKING)
EXPRESS, INC., MILCO DONESKI,)
FEDEX NATIONAL LTL, INC., and)
FRESH START, INC.,)
Defendants.)

This matter is before the Court on Plaintiffs' Motion for Leave to File an Amended Petition ([filing 110](#)). As explained in the Court's November 28, 2011 order ([filing 101](#)), the Court believes that allowing the complaint to be amended at this point would unduly delay this litigation. Therefore, Plaintiffs' Motion for Leave to File an Amended Petition will be denied. The court notes, however, that its November 28, 2011 order granted Plaintiffs leave to amend for the limited purpose of naming a proper party plaintiff. If Plaintiffs believe that their complaint needs to be modified in this respect, the Court will still permit this limited amendment.

IT IS ORDERED:

1. Plaintiffs' Motion for Leave to File an Amended Petition ([filing 110](#)) is denied. However, in accordance with this Court's November 28, 2011 order ([filing 101](#)), to the extent that Plaintiffs deem it necessary to amend their complaint so as to name a proper party plaintiff, they may do so. If Plaintiffs wish to amend for this limited purpose, they must submit a renewed motion to amend, along with a proposed amended complaint, on or before December 6, 2011.

DATED December 2, 2011.

BY THE COURT:

**S/ F.A. Gossett
United States Magistrate Judge**